

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

C.A. NO. 04-CV-10521-GAO

BETTY ANNE WATERS, as Administratrix of the
Estate of KENNETH WATERS,

Plaintiff

v.

TOWN OF AYER, NANCY TAYLOR-HARRIS,
in Her Individual Capacity, ARTHUR BOISSEAU,
In His Individual Capacity, BUDDY DECOT, In
His Individual Capacity, WILLIAM ADAMSON,
in His Individual Capacity, PHILIP L. CONNORS,
in His Individual Capacity, and JOHN DOE and
JANE DOES 1-16, in Their Individual Capacities,

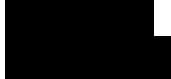
Defendants

DEFENDANTS' MOTION FOR
DISCLOSURE OF NATIONAL
CRIME INFORMATION CENTER
RECORDS

Now come the defendants, Town of Ayer, et al., and hereby move that this Honorable Court to order the National Crime Information Center, Criminal Justice Information Services Division, 1000 Custer Hollow Road, Clarksburg, West Virginia 26306 to provide the defendants' attorney, Joseph L. Tehan, Jr., Kopelman and Paige, P.C., 101 Arch St., 12th Fl., Boston, Massachusetts, 02110 within twenty-one (21) days of the date of such order, all criminal record history information (CRHI) in its possession, including but not limited to certified records of convictions, for the person listed below:

Kenneth Waters
AKA Leroy Waters

Date of Birth:
S.S.N.:



In support of this motion, defendants state the following:

1. The Criminal Justice Information Services Division is a division within the Federal Bureau of Investigation which is charged with compiling a national data base of criminal record history information.

2. The estate of the person identified above is the plaintiff in the above-entitled case.

3. The person identified above is deceased and therefore is unable to sign a release for his criminal conviction records.

4. Like the Massachusetts Criminal Offender Record Information, the national CRHI of the designated person will only be used by the defendants in the above-entitled action for trial strategy or trial witness impeachment purposes and will not otherwise be disclosed to any person who is not authorized to have access to CRHI.

5. The Criminal Justice Information Services Division does not oppose the defendants' request for CRHI of the decedent but will not release a certified copy of the decedent's CRHI without a court order.

6. The Criminal Justice Information Services Division is willing to subject itself to the jurisdiction of this court for the limited purpose of this motion and any order that may be issued pursuant to this motion.

The Court is respectfully referred to the proposed order annexed hereto.

DEFENDANTS

By their attorneys,

/s/ Jeffrey T. Blake

Joseph L. Tehan, Jr. (BBO# 494020)

Gregg J. Corbo (BBO# 641459)

Jeffrey T. Blake (BBO# 655773)

Kopelman and Paige, P.C.

Town Counsel

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Boston, MA 02110-1109

(617) 556-0007

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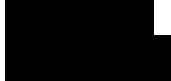
Defendants

ORDER

It is hereby ordered that the National Crime Information Center, Criminal Justice Information Services Division, 1000 Custer Hollow Road, Clarksburg, West Virginia 26306 shall provide to Joseph L. Tehan, Jr., Kopelman and Paige, P.C., 101 Arch St., 12th Fl., Boston, Massachusetts, 02110, attorney for defendants Town of Ayer, et al., within twenty-one (21) days of the date of this order, all Criminal Record History Information in its possession, including but not limited to certified records of convictions, for the person listed below:

Kenneth Waters
AKA Leroy Waters

Date of Birth:
S.S.N.:



United States District Judge